

Michael L. Parson
Governor

Anne L. Precythe
Director



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State of Missouri
DEPARTMENT OF CORRECTIONS
Improving Lives for Safer Communities

March 25, 2019

Director Michael Barrett
Office of the State Public Defender
Woodrail Centre 1000 W. Nifong, Bldg. 7
Columbia, MO 65203

Dear Director Barrett:

The Division of Probation and Parole, in consultation with the Parole Board, has revised the parole revocation process. As part of that process, probation and parole officers will be screening offenders subject to potential parole revocation in order to determine whether they qualify for appointed counsel as required by the United States Supreme Court in *Gagnon v. Scarpelli*, 411 U.S. 778 (1973).

Beginning on April 1, 2019, where a probation and parole officer determines an offender qualifies for counsel under the *Gagnon* criteria, the officer will request the offender complete a public defender application and will then fax the application to the district defender's office nearest the location where the offender is held. This process enhancement was developed around the requirement in Section 600.042 RSMo that requires the Missouri State Public Defender provide legal representation to individuals "for whom the federal constitution or state constitution" so requires. Section 600.042.4(6) RSMo.

Respectfully,

A handwritten signature in black ink that reads "Anne L. Precythe".

Anne L. Precythe
Director